

June 3<sup>rd</sup> 2008  
Commission's Secretary  
Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, SW  
Room TW-A325  
Washington, DC 20554  
Re: WC Docket No. 06-210 & 07-278  
CCB/CPD 96-20

Deena Shetler Docket Case Manager

**Further Petitioners Comments Regarding Petition to Expedite**

Dear FCC Commissioners:

Last week Petitioners inquired as to the status of petitioners petition to expedite an FCC decision in its case that is before the FCC for the second time.

The FCC case manager Deena Shetler just advised petitioners that she will soon be leaving for 6 months on maternity leave. We fear this will set back resolution of the case issues even longer. Ms Shetler has explained that the FCC does not have the resources to get cases resolved in a time frame that any petitioner would expect.

Petitioners asked Ms. Shetler if it could make a direct plea to the FCC Commissioners and give some background of this case regarding delay of resolution. Ms Shetler stated that it was a Public Docket and petitioners could do so.

This case is now into its 13<sup>th</sup> year having started in Jan 1995 arguing over the interpretation of a tariff section that is only a few paragraphs. The FCC waited seven years from 1996 through 2003 to issue its first decision in this case, despite the fact that the case was a 1996 primary jurisdiction referral from the Third Circuit.

Over the last year substantial additional evidence has been found confirming that the FCC's Oct 2003 decision was correct; and petitioners strongly believe that Ms. Shetler if asked by the Commissioners will confirm that AT&T has intentionally scammed the FCC and the Courts for 13 years. AT&T's strategy at this point is simply to prolong the case to force petitioners into taking settlement.

As the Commissioners are well aware the law mandates that a decision must be made against AT&T if the tariff provision is not explicit. AT&T has many times conceded that the tariff section in question was not explicit. Incredibly, this tariff section has now been reviewed by 8 different Judges (including current Supreme Court Justice John Roberts when he was formerly at the DC Court of Appeals) and the FCC staff over 13 years, and no one could totally figure it out due to it being non explicit until recently.

AT&T obviously understanding that it will eventually lose has called petitioners to see how much petitioners would take to settle the case. The evidence filed shows that AT&T warned petitioners that if petitioners did not accept AT&T's paltry hush money payoff, it would be "several years" before the case ends. Even though AT&T is well aware that the evidence against it is now overwhelming and AT&T loses on the tariff being non explicit in any event, AT&T also knows the Commissions lack of resources plays right into AT&T's delay game plan.

We respectfully ask that the Commissioners contact Ms Shetler and get her feedback, and look into this 13 year old case and do whatever it can to adjudicate all Declaratory Ruling case issues.

We certainly understand that the FCC lacks resources. However this case in particular due to the FCC's 7 year delay in round one, and AT&T's many written concessions that the tariff is not explicit makes this a case that should have been decided within a few months from when public comments stopped in January.

Petitioners beg for the Commissioners to contact Ms Shetler and get her feedback as to why this lay-up case is taking so long to get decided.

Respectfully Submitted,  
One Stop Financial, Inc  
Winback & Conserve Program, Inc.  
Group Discounts, Inc.  
800 Discounts, Inc  
/s/ Al Inga  
Al Inga President